IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11166 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE B.J.SHETHNA
and
HON'BLE MR.JUSTICE SHARAD D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

ASHIMA LIMITED

Versus

UNION OF INDIA

Appearance:

1. Special Civil Application No. 11166 of 2002
MR DV PARIKH for Petitioner No. 1-2
MR ASIM J PANDYA for Respondent No. 1-4

CORAM : HON'BLE MR.JUSTICE B.J.SHETHNA
and
HON'BLE MR.JUSTICE SHARAD D.DAVE

Date of decision: 17/09/2004

ORAL JUDGEMENT

(Per : HON'BLE MR.JUSTICE B.J.SHETHNA)

Identical Special Civil Application No.11165 of 2002 is allowed today. For the reasons recorded in it, this petition is also allowed and the order at Annexure `A' dated 17.10.02 is hereby quashed and set aside and the matter is remitted to the concerned authority to pass fresh order in response to the show cause notice after extending an opportunity of hearing to the petitioner. Rule is made absolute accordingly. Ad-interim relief granted earlier stands vacated. No order as to costs.

(B.J.SHETHNA, J)

(SHARAD D DAVE, J)

srilatha